

Serial No.: 09/189,112

Attorney Docket No.: 98P7917US

**REMARKS**

Upon entry of the instant Amendment, claims 1-33 are pending.

Applicants gratefully acknowledge that claims 18 and 22-32 were indicated to be allowable. Applicants gratefully acknowledge that claim 9 was indicated to be allowable if amended into independent form and to include all the limitation of the base claim and any intervening claims. Claims 9 has been so amended and thus should be allowable. Claim 1 has been amended, and claim 33 has been added, to more particularly point out Applicants' invention.

Claims 1-8, 10-17, and 19-20 have been rejected under 35 U.S.C. 102(e) as being unpatentable over Vaziri et al., U.S. Patent No. 6,377,570 ("Vaziri"). In order for there to be anticipation, each and every element of the claimed invention must be present in a single, prior reference. Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Vaziri.

As described in the Specification, and in response to previous Official Actions, one aspect of the invention relates to a combined ToL-PBX system which can support both ToL telephony and TFA or "Glass Phone" telephony. ToL telephony that uses local area networks may be based on the H.323 Recommendation and employs a server or gatekeeper that may gradually replace legacy PBXs. Telephony feature access (TFA) telephony employs a TFA or "glass phone" device also coupled to the local area network, but which receives its call processing through the TFA controller on the PBX. That is, in such a system, both ToL telephones and glass phones are coupled to a same local area network but receive call processing from independent entities, i.e., the ToL gatekeeper and the PBX. A problem in such a system is that the ToL gatekeeper is not aware of TFA calls processed by the PBX and their bandwidth usage. Embodiments of the present invention, however, allow the TFA bandwidth usage by one of the call processing entities to be accounted-for by the other.

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The claims thus generally relate to ToL devices and TFA devices, or ToL calls and TFA calls and recite, or have been amended to recite, that such calls both occur on the local area network.

In contrast, Vaziri has nothing whatsoever to do with a TFA gateway and merely relates to an Internet switch box (ISB) that can allow a telephone to communicate over either the public switched telephone network (PSTN) or the Internet. In operation, a user of such a device makes a call via the PSTN and then can press a button to switch to the Internet.

FIG. 13 is not to the contrary. In particular, in FIG. 13, Vaziri merely provides an H.323 system operating on the LAN 1302. That is, telephony processing on the LAN is accomplished via standard H.323 protocol. Nowhere does Vaziri hint that a TFA gateway or "glass phone" device can be used for telephony on the LAN. While the terminals 1304 may be equipped with the "ISB," this relates merely to communication once past the gateway 1306 (using the PSTN/ISDN or the Internet) and not to communication over the LAN itself. That is, whatever happens past the gateway, communication over the LAN is done via standard H.323 techniques. Thus, Vaziri does not even recognize the problem solved by embodiments of the present invention. That is, even if, for the sake of argument, one were to couple a PBX and TFA gateway to the LAN 1302 of Vaziri, the gatekeeper 1314 would not be able to account for TFA bandwidth usage unless Vaziri were equipped in accordance with the teachings of the present invention. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection of the claims.

For similar reasons, newly-added claim 33 is likewise believed allowable.

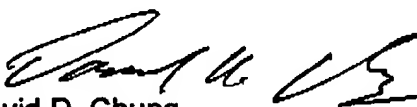
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For all of the above reasons, Applicants respectfully submit that the application is in condition for allowance, which allowance is earnestly solicited.

Respectfully requested,

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